

### **REMARKS**

Claims 1-17 are pending in this application. Claims 1 and 17 are independent. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-16 under 35 U.S.C. §112, second paragraph. The Examiner further rejected claims 1-17 under 35 U.S.C. §103(a) as being unpatentable over Barnes (U.S. Patent Application Publication No. 2003/0220835) in view of Iwase et al. (U.S. Patent Application Publication No. 2002/0165803). Applicant respectfully traverses these rejections.

#### **Claim Rejections - 35 U.S.C. §112, second paragraph**

The Examiner has rejected claims 1-16 asserting the terms "second communicating device" and "third communicating device" are unclear. By this amendment, Applicant has amended the claims to more appropriately recite the present invention. Based on these amendments, it is respectfully requested that the outstanding rejections be withdrawn.

#### **Claim Rejections - 35 U.S.C. §103**

In support of the Examiner's rejection of claim 1, the Examiner asserts that Barnes discloses all of the elements recited in the claim, except a customer information database and a stock information database. The Examiner relies on the teachings of Iwase to cure the deficiencies of the teachings of Barnes. The Examiner concludes that one skilled in the art would modify the teachings of Barnes with the customer information database and stock information database of Iwase in order to provide an information processing system capable of providing commodity information to customers and easily providing information on the use of purchased commodities. Applicant

respectfully submits that the teachings of these references are wholly insufficient to render the pending claims obvious.

By this amendment, Applicant has amended claim 1 to recite, *inter alia*, a customer solicitation support system, wherein the server receives customer information, which includes the product desired by the customer from the portable apparatus, obtains shop information indicating shops having stock of the product desired by the customer from the stock information database, and wirelessly communicates the shop information to the portable apparatus.

In contrast, the disclosure of Barnes is directed to a system for providing location based services and mobile e-commerce. One example of such a system employs an ACS designed to coordinate the delivery of advertising and content for the shopping complex. Referring to FIG. 7, the ACS establishes user location information at step 450, determines transmission selection criteria (temporal data, CCD, targeting criteria, etc.) at step 455, and selects and transmits an advertisement at step 460. In addition, in some instances the ACS will receive information relating to the user's response (receipt, viewing, presentation, or action in response) to the transmission at step 465 and perform an incentive transaction at step 470. See [0227]. Thus, Barnes discloses providing product information as advertisement information.

Iwase discloses an information processing system. FIG. 16 shows an example of the structure of the commodity information table 34b in the inventory DB 34. The commodity information table 34b comprises a commodity code, a company name, a commodity name and commodity information. A file name is stored as "commodity information." This file contains guidance information on the commodity. For example, in association with the commodity code "EF23456877", the following information is stored: the company name "A", the commodity name "B" and the commodity information "File product 00001.doc."

FIG. 17 shows an example of the structure of the substitute commodity table 34c in the inventory DB 34. The substitute commodity table 34c is used for providing a customer with information on an equivalent commodity when a commodity (desired commodity) to be purchased by the customer is out of stock. The substitute commodity table 34c comprises a commodity code, a

company name, a commodity name, a substitute commodity code, a company name of a substitute commodity, and a substitute commodity name. Thereby, a customer, who asks for an out-of-stock commodity, may be provided with information on a substitute commodity. In the substitute commodity table 34c, for example, in association with the commodity code "AB55667788" of a commodity to be purchased, the following information is stored: the company name "A", commodity name "B", substitute commodity code "CD56785678", substitute commodity company name "C", and substitute commodity name "D". See [0110]-[0111]. Thus, Iwase discloses providing information on stocks and similar products of a certain product in a particular shop.

However, neither of the cited references teach or suggest wherein the server receives customer information, which includes the product desired by the customer from the portable apparatus, obtains shop information indicating shops having stock of the product desired by the customer from the stock information database, and wirelessly communicates the shop information to the portable apparatus, as required by claim 1. As such, it is respectfully submitted that claim 1 is not obvious over the references as cited by the Examiner. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-16 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1. It is further respectfully submitted that claim 17 includes elements similar to those discussed above with regard to claim 1 and thus claim 17 is not obvious over the references as cited for the reasons set forth above with regard to claim 1.

With regard to claim 16, the Examiner asserts that the combination of the teachings of Barnes and Iwase render the claim obvious. However, claim 16 requires upon receiving information that the portable device is not wirelessly connected to the client computers, the database management device deletes the customer information corresponding to the portable apparatus from the customer information database. The Examiner relies on Iwase, Figs. 1-3 and paragraphs [0075] and [0150] to teach this claim element. However, at these citations, Iwase merely discloses a database management section and reading out information in order to print the information. However, these teachings are wholly insufficient to teach or suggest upon receiving information that the portable device is not wirelessly connected to the

client computers, the database management device deletes the customer information corresponding to the portable apparatus from the customer information database. As Barnes fails to teach this claim element, as admitted by the Examiner, Applicant respectfully submits that neither of the cited references, either alone or in combination, teaches this claim element. Thus, claim 16 is patentable over the references as cited.

### Conclusion

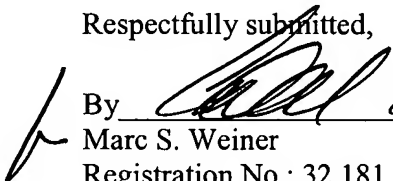

In view of the above amendments and remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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